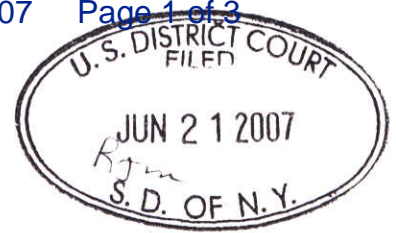


DOC # 298



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: SKI TRAIN FIRE IN KAPRUN :
AUSTRIA ON NOVEMBER 11, 2000 :
-----X

01 MDL # 1428 (SAS) ←

This document relates to the following actions:

-----X
JOHANN BLAIMAUER, et al., :

Plaintiffs, :

- against - :

OMNIGLOW CORPORATION, et al., :

Defendants. :

03-CV-8960 (SAS)

-----X
HERMAN GEIER, et al., :

Plaintiffs, :

- against - :

OMNIGLOW CORPORATION, et al., :

Defendants. :

03-CV-8961 (SAS)

-----X
NANAE MITSUMOTO, et al., :

Plaintiffs, :

- against - :

THE REPUBLIC OF AUSTRIA, et al., :

Defendants. :

06-CV-2811 (SAS)

MICROFILM

JUN 22 2007 -9:22 AM

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-----X	
NANAE MITSUMOTO, et al.,	:
	:
Plaintiffs,	:
	:
- against -	:
	:
ROBERT BOSCH	:
CORPORATION, et al.,	:
	:
Defendants.	:
-----X	
-----X	
JOOP H. STADMAN, et al.,	:
	:
Plaintiffs,	:
	:
- against -	:
	:
AUSTRIAN NATIONAL TOURIST	:
OFFICE INC., et al.,	:
	:
Defendants.	:
-----X	
SHIRA A. SCHEINDLIN, U.S.D.J.:	

07-CV-935 (SAS)

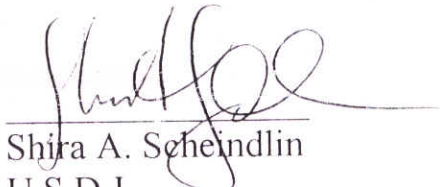
07-CV-3881 (SAS)

ORDER

By email dated June 18, 2007, the Court posed a straightforward question to all parties, inquiring how many foreign plaintiffs currently have litigation arising out of the ski train disaster pending – against any defendant – in an Austrian court. By email dated that same day, plaintiffs’ counsel fully answered that question. Nevertheless, plaintiffs’ submissions of today’s date reflect that plaintiffs’ counsel misreads the Court’s email as an invitation to file more declarations relating to the question of whether the Austrian courts provide an

adequate alternative forum, a consideration a court must address when deciding a motion to dismiss based on forum non conveniens. This issue was fully addressed in the parties' submissions and the Court issued its ruling. *See* Opinion & Order dated June 19, 2007. No further briefing was requested on this issue nor will such tardy submissions now be considered. Nevertheless, Local Rule 6.3 permits a party to timely move for reconsideration if it can assert an adequate ground for such a motion. If plaintiffs wish to exercise this option, they must do so in accordance with the applicable rules of procedure.

SO ORDERED:



Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
June 21, 2007